UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/423
6 September 1991

ORIGINAL: ENGLISH

Forty-sixth session
Items 78 (e) and 79 of the
provisional agenda*

DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: ENVIRONMENT

UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

Letter dated 5 September 1991 from the Permanent Representatives of Brazil and of Sweden to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the joint communiqué issued at Stockholm, on World Environment Day, 5 June 1991, by President Fernando Collor of Brazil and Prime Minister Ingvar Carlsson of Sweden, together with Mr. Maurice Strong, Secretary-General of the United Nations Conference on Environment and Development.

We should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under items 78 (e) and 79 of the provisional agenda.

(Signed) Ronaldo Mota SARDENBERG
Permanent Representative of
Brazil to the United Nations

(Signed) Jan ELIASSON
Permanent Representative of
Sweden to the United Nations

* A/46/150.

READEX FICHE

ANNEX

Joint communiqué issued at Stockholm on 5 June 1991 by the President of Brazil, the Prime Minister of Sweden and the Secretary-General of the United Nations Conference on Environment and Development

1. Nineteen years ago, on this day, delegates from all over the world gathered here at Stockholm for the United Nations Conference on the Human Environment. A few years before, the people of this planet had seen the first pictures taken from space of our one and single common home, "small and blue and beautiful". No wonder that the Conference theme became "Only One Earth".

2. The results of the 1972 Conference were of historic importance. The Stockholm Declaration laid down principles for the responsibilities of States that have never been challenged. The environment was firmly placed on the international agenda and its relationship to development acknowledged. The United Nations Environment Programme was created. Important conventions were signed in the follow-up to the Conference. A new awareness of the fragility of the world's ecological system began to influence minds and policies.

3. The world today is very different from that of 1972. Tremendous political and economic changes have taken place. But the impact of the Stockholm Conference has been felt throughout the period; environmental damage at the local and regional levels has been checked in many parts of the world, where progress, wealth and advanced technologies allowed countries to take effective action. Nevertheless, in other parts of the same world, most countries continued to face enormous economic and social problems, thus being unable to give the environment, in spite of increasing public awareness, the priority it might otherwise have deserved.

4. But all these efforts cannot conceal the fact that the planet's future is still at risk. Over the last decade new and global threats have been perceived and others have become more acute, such as ozone layer depletion, climate change, pollution of the oceans on a global scale, reduction of biological diversity, degradation of land resources. The realization of those problems, whose consequences go far beyond national boundaries, leads to the realization of a sense of common responsibility towards the conservation of the planet's environment. The international community has to act as one and tackle those problems in all their interrelated aspects if we are to keep alive the hope of a better environment for the generations to come.

5. Furthermore, we have begun to understand better that global environmental action requires global development action. Poverty is in itself both a cause and a consequence of environment deterioration. The gravity of the detrimental effects of this vicious circle is particularly evident in the fast-growing cities of the developing world, in which living conditions have been continuously deteriorating, sometimes to levels well below the minimum requirements of human dignity. Individual responsibility for the environment,

which is the basis for effective action, cannot be expected from people who see no hope of a better life. Solidarity at the international and national levels is a prerequisite for sustainable development.

6. Following the 1987 report of the World Commission on Environment and Development, all these strands came together in the resolution by the General Assembly to convene the United Nations Conference on Environment and Development that Brazil will host at Rio de Janeiro in June 1992. If the Stockholm Conference consolidated the inclusion of the environment in the international agenda, the Rio de Janeiro Conference is to be seen as a bridge between global environmental concerns, the many different initiatives already under way to face them and a joint and concerted action by the whole international community aimed at the promotion of new and environmentally sound models of economic development.

7. The unique amplitude and comprehensiveness of the agenda set forth for the 1992 Conference stand as a signal of the high hopes of the whole international community.

8. As the torch is now being passed, from Stockholm to Rio de Janeiro, from the Baltic to the Atlantic, from North to South, Sweden and Brazil are united in a joint commitment to the cause of environment and development. The President of Brazil and the Prime Minister of Sweden together with the Secretary-General of the Conference solemnly pledge to spare no effort to make the Conference a success and to cooperate closely in order to achieve decisions on concrete and effective action at Rio de Janeiro. The Conference is firmly placed in the perspective of the twenty-first century. On this World Environment Day 1991 we look towards the Conference as the dawn of a new era of international cooperation, a true global partnership for environment and development. The future of our Earth is in our hands.

(Signed) Fernando COLLOR
President of the Federative
Republic of Brazil

(Signed) Ingvar CARLSSON
Prime Minister of Sweden

(Signed) Maurice STRONG
Secretary-General of the
United Nations Conference on
Environment and Development

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/424
6 September 1991
ENGLISH
ORIGINAL: SPANISH

Forty-sixth session
Item 99 of the provisional agenda*

HUMAN RIGHTS QUESTIONS

Letter dated 5 September 1991 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of Legislative Decree No. 685 issued on 3 September 1991 whereby prosecutors within zones in which states of emergency have been declared are authorized to enter police stations, prefectures, military installations and any other detention centre in the Republic in order to verify the status of persons arrested or reported as disappeared.

This legal instrument reflects the ineluctable duty and commitment of the Peruvian State to guarantee the full and effective exercise of human rights in accordance with the provisions of article 80 of the Political Constitution of Peru.

I should be grateful if you would have the text of the Legislative Decree circulated as an official document of the General Assembly under item 99 of the provisional agenda.

(Signed) Ricardo V. LUNA
Ambassador
Permanent Representative of Peru
to the United Nations

* A/46/150.

ANNEX

LEGISLATIVE DECREE NO. 685

THE PRESIDENT OF THE REPUBLIC,

WHEREAS:

The Congress of the Republic, pursuant to Act No. 25327, adopted in accordance with article No. 188 of the Political Constitution of Peru, has delegated authority to the Executive to legislate, inter alia, on the promotion of peace in the country;

It is the duty of the State to guarantee the full and effective exercise of human rights, in accordance with the provisions of article 80 of the Political Constitution of Peru;

The Office of the Attorney-General is an autonomous State agency whose principal functions are to defend the legal basis of the rights of the citizen and the public interest;

Article 8 of the Organization Act of the Office of the Attorney-General - Legislative Decree No. 52 - provides that the declaration by the President of the Republic of states of emergency or siege throughout or in part of the national territory shall not impede the functions of the Office of the Attorney-General as the defender of the people or the right of citizens to have recourse thereto;

It is necessary, for the reasons stated, for the Office of the Attorney-General to have at its disposal a legal instrument enabling prosecutors throughout the country to enter police detention centres, military installations or any other place of imprisonment used in connection with arrests in the fight against terrorism;

With the concurring vote of the Council of Ministers;

Has issued the following Legislative Decree:

Article 1: Prosecutors within zones in which states of emergency have been declared are authorized to enter police stations, prefectures, military installations and any other detention centre in the Republic in order to verify the status of persons arrested or reported as disappeared.

Article 2: The Ministries of the Interior and of Defence shall adopt the measures necessary to grant appropriate facilities and guarantees to prosecutors in compliance with this Decree.

Article 3: Any instance of failure to comply with this instrument shall be brought to the attention of the appropriate chief prosecutor and president of the district bar association, who, in turn, shall inform the Attorney-General of the Nation, who shall take appropriate action in accordance with his authority.

Article 4: Provincial prosecutors shall submit monthly reports on the human rights situation in their district, which shall be forwarded to the Office of the Attorney-General of the Nation.

Article 5: The Office of the Attorney-General of the Nation shall issue a monthly report on the human rights situation containing the information submitted by prosecutors throughout the country.

Article 6: All provisions which are inconsistent with this Legislative Decree are hereby abrogated.

Article 7: This Legislative Decree shall enter into force on the day following the date of its issuance;

ACCORDINGLY:

Orders the issuance of this Legislative Decree and compliance therewith, and that the Congress be informed thereof.

Done at Government House, Lima, on 2 September 1991.

Signed: ALBERTO FUJIMORO FUJIMORO, Constitutional President of the Republic.

CARLOS TORRES Y TORRES LARA, President of the Council of Ministers and Minister for Foreign Affairs.

AUGUSTO ANTONIOLI VASQUEZ, Minister of Justice.